

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 6, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. DAVID EVANS, West Lake Hills Presbyterian Church.

Councilman White moved that the Minutes of August 29th, and August 30th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MRS. ALDEN DAVIS, and a delegation from seven Garden Clubs, outlined a program for a garden center and asked for a designation of an area in Zilker Park wherein it could be cultivated, or beautified; and wherein the native beauty could be maintained. This would be without cost to the City. MRS. BOLES, MRS. JOHN W. GREEN, MISS GILES, DR. DODD, MRS. WADE, MRS. HUGHES and others listed various plans to be included. A master plan of this project is being made and will be brought back to the Council when completed.

Pursuant to published notice thereof the following zoning applications were publicly heard:

TRAVIS C. COOK, et al	7001-7319 Burnet Road 2305-15 Pasadena Drive 2304-14 Cullen Avenue	From "A" Residence 1st To "GR" General Retail 6th Height and Area RECOMMENDED by the Planning Commission
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The Mayor asked those in favor of granting the change to "GR" General

Retail 6th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOHN H. LEASURE	8529-8547 No.Lamar Blvd. 707-723 Beaver	From "A" Residence To "C" Commercial 6th Height and Area RECOMMENDED by the Planning Commission
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The Mayor asked those in favor of granting the change to "C" Commercial 6th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover:

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JOHN O. NAVEN & S. E. ARNN	924-26 East 32nd St.	From "B" Residence To "O" Office RECOMMENDED by the Planning Commission
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The Mayor asked those in favor of granting the change to "O" Office District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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DRS. KREISLE, KREISLE & KREISLE	2313 Longview Street	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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The Mayor asked those in favor of granting the change to "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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DR. Z. T. SCOTT	1800-04 Pearl Street	From "A" Residence
MRS. CHAS. W. KLUGE	900-12 West 18th Street	To "BB" Residence
ESTATE	1801-03 San Gabriel	NOT Recommended by the Planning Commission

Mr. Frank Erwin, represented a number of property owners in opposition. The Applicants were not present. The Mayor asked those in favor of granting the change to "BB" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: None
Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

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CARRET CORPORATION	706-10 West 17th Street	From "A" Residence
	1701 West Avenue	To "O" Office
		RECOMMENDED by the Planning Commission

MR. FOREST PEARSON, Vice President of the Corporation, appeared in his own behalf. MR. GIBSON RANDLE, representing Mr. Will Scarbrough, appeared in opposition; MRS. GEORGE SHELLY, MR. JACK CHILES, MR. ALGREHN, MR. RAYMOND DEAR, MR. C. H. BEARDSLEY, and MISS THOMPSON also appeared in opposition. The Council deferred action until the following week.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on August 21, 1956, at 10:00 A.M. on the sale of certain improvements on City owned property; and,

WHEREAS, W. E. Wilson and J. L. Ellis both submitted bids in the amount of \$50.00 each on the frame garage located at the rear of 801 Willow, which sum was the highest amount bid; and,

WHEREAS, by agreement between said parties, selection was won by the said W. E. Wilson by toss-of-coin; and,

WHEREAS, the City Manager has recommended the sale of said garage to said W. E. Wilson on the basis of said bid; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said agreement between the said J. L. Ellis and W. E. Wilson is approved and the bid of W. E. Wilson be, and the same is hereby accepted and W. T. Williams, Jr., City Manager, is hereby authorized to execute a contract of sale for said frame garage.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on certain maps and plats of the City of Austin, a public road or street is shown as Courtesy Lane, as extending northward from West 45th Street to Great Oaks Parkway; and,

WHEREAS, a portion of said Courtesy Lane was named and dedicated on a map or plat of Oak Haven, Section 2, and the other portion was named and dedicated on a map or plat of Great Oaks, Section 2, both being subdivisions of portions of the George W. Spear League in the City of Austin, Travis County, Texas, maps or plats of said subdivisions being of record, respectively, in Book 7, Page 18, and Book 6, Page 97, Plat Records of Travis County, Texas; and,

WHEREAS, the present owners of all lots and unplatted land abutting said street have requested that the name be changed from Courtesy Lane to Erin Lane; and,

WHEREAS, the City Council of the City of Austin deems it to the best interest of the public to change the name of said Courtesy Lane to Erin Lane at this time before said street is continued southward through additional subdivisions; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the street now known as Courtesy Lane as named and dedicated on the maps or plats of said Oak Haven, Section 2, and which extends northerly from West 45th Street to Great Oaks Parkway in the City of Austin, Travis County, Texas, be, and the same is hereby changed to Erin Lane; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 31.14 ACRES OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE AND THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman Long moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager gave a report on South Park, Section 2, with reference to a refund contract as requested by W. A. BURNS. Since the subdivision was not yet developed it was decided to wait about 60 days. It was also suggested that the City should not pay over 60% on buying these refund contracts.

Councilman Pearson submitted a summary of the Statutes regarding the creation of hospital districts. The City Manager suggested that studies be made of this. Councilman Pearson asked that other cities that have districts be contacted and data compiled from their experience. The summary is as follows:

"CREATION OF HOSPITAL DISTRICTS

"Authorized by Article 4494n Vernon's Annotated Civil Statutes effective May 18, 1955.

- "1. Authorized in counties of 190,000 or more population.
- "2. Hospital district to be coextensive with the County.
- "3. County Commissioners to call the election.
 - (a) On their own motion.
 - (b) On petition of 100 taxpayers.
- "4. Ballot is authorized in alternative forms:
 - (a) A mere creation of such district.
 - (b) Creation of district where bonds of City or County are to be assumed by the district.
- "5. Ballot to provide tax levy of not over 75 cents per \$100 valuation (1955 figures of Travis County Tax Rolls indicate yield about \$1,064,000.00 per year).
- "6. Hospital District taxes to be collected by County Collector, who is paid 1-1/2%. Penalties, etc. same as for other county taxes.

- "7. District may issue bonds after election in usual manner. City of County Hospital Bonds voted but not issued are to be cancelled.
- "8. Lands, buildings, etc. owned jointly or separately by City or County by which care is "furnished" to indigent "shall become the property of the Hospital District," subject to prior rights of the holder's of outstanding bonds.
- "9. County to transfer funds and property by instrument to Hospital Board of Managers.
- "10. Commissioners Court to appoint a Board of Hospital Managers, Not less than 5 members nor more than 7, to serve terms of two years (without pay).
- "11. Board of Hospital Managers to manage, control, and administer the hospital system of the district, to promulgate rules and regulations, to sue and be sued, to appoint a general manager to be known as the Administrator of the District, and such technicians, doctors and other employees as may be needed. No contract or term of employment shall exceed a two year period. Board may contract with any county for care and treatment of county's sick, diseased, and injured persons--also with State and Federal agencies for such care.
- "12. District is granted power of eminent domain, etc.
- "13. All hospital districts are made subject to inspection by any duly authorized representative of the State Board of Health as well as the Commissioners Court.
- "14. County Attorney or District Attorney charged with representing county and civil matters to represent hospital district in all legal matters. Hospital Board may employ additional counsel.
- "15. No county and no city in a hospital district may thereafter separately levy any tax for hospital purposes.
- "16. Ability to pay:

If patient or relatives of patient liable for his support are financially able to make payments, Administrator shall enter order requiring collection of specified sum per week and shall have power to collect from the estate of patient or his relatives legally liable for his support as in case of collection of expenses of last illness of a deceased person. County Court to hear and determine disputed questions of ability to pay.

- "17. Hospital Board is authorized to accept donations, gifts and endowments to be held in trust and administered for the purposes prescribed in writing by the donor not inconsistent with proper management of the hospital district."

The Council unanimously appointed MRS. CLAUDE HILL and MRS. EDMUND HEINSOHN as Co-Chairmen to the United Nations Program, United Nations week to begin October 24th.

The City Manager reviewed a matter of sale of property--property facing on East Avenue, plus one-half the alley between this property and other property owners, FRED EBY, T. E. KING, and others in the 2800 block. Mr. King had purchased the excess property, but the others had not. After brief discussion, it was decided to hold the offer open.

The City Manager gave a report on further study by the Architects of cost of installation of electric heat for the Auditorium. It was estimated it would not take \$25,000 additional plus \$6,000 for engineering fees. It was suggested that they go ahead with the plans as first set up. (Steam heating)

The Council recessed until 3:00 P.M.

Recessed Meeting

3:00 P.M.

At 3:00 P.M. the Council met with the Planning Commission.

Councilman Long was absent from the Recessed Meeting. All members of the Planning Commission were present.

MRS. CHARLES MITCHELL presented a schedule adopted by the Commission as to the timing of receiving the Master Plan, and submitting it to the public, and recommended this schedule to the Council. The Schedule included zoning, financial implications of the Master Plan, capital improvements, study of the central business district, urban renewal, study of vacant land, and base mapping. The City Manager went over the proposed budget for the Planning Department for the coming year. General discussion was held. At the close of the joint meeting, the Mayor stated when Mr. Wise presented the Master Plan, if he presented it to the Council first or jointly with the Planning Commission, the two should get together on it, and he thought they should agree on a plan and the ways and means of explaining it to the people.

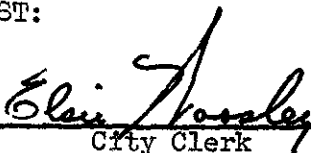
The Council had before it the recommendations from the Plan Commission on Off Street Parking. The City Attorney stated this should be readvertised in the paper.

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk